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PATENT
Serial No. 10/807,076 (91420.124103)
Refund Request

SEARCHED IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:	Michael Wagner)	Examiner:
Serial No.:	10/807,076)	Art Unit: 3611
Filed:	March 23, 2004)	
For:	GAME CART/TREE STAND KIT)	
)	

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a refund in the amount of \$120.00 be credited to Deposit Account No. 10-0223 in connection with the above-identified patent application.

On August 5, 2004, Applicant filed a Response to Notice to File Missing Parts of Application via regular U.S. Mail, with a check payable to the Director of United States Patent and Trademark Office in the amount of \$120.00 for the missing parts surcharge (\$65) and the one month extension of time fee (\$55). The Response was, however, inadvertently mailed without postage. Applicant's undersigned attorney learned of this error the same day, and, in anticipation that the U.S. Postal Service would return the envelop for insufficient postage, prepared and mailed a "second" Response with postage and authorizing the Commissioner for Patents to charge our Deposit Account No. 10-0223 in the amount of \$120.00 to cover the fees.

Adjustment date: 01/11/2005 EEKUHAY1
08/10/2004 MBIZUNES 00000053 100223 10807076
01 FC:2051 65.00 CR

#144586
Adjustment date: 01/11/2005 EEKUHAY1
08/10/2004 MBIZUNES 00000053 100223 10807076
02 FC:2251 55.00 CR

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The first copy of the Response was never returned for insufficient postage, and was in fact received and processed by the U.S. Patent and Trademark Office (US PTO). A copy of the returned postcard acknowledging receipt of the response (including receipt of check # 1696 for \$120.00) is enclosed, as well as a copy of applicant's canceled check # 1696.

The second copy of the Response was also received and processed by the US PTO. A copy of the returned postcard acknowledging receipt (including receipt of fees in the amount of \$120.00) is enclosed, as well as a copy of the August 2004 Statement for Deposit Account No. 10-0223 showing charges for the same missing parts surcharge (fee code 2051) of \$65 and one month extension of time (fee code 2251) of \$55.

In view of the fact that applicant's paid and the US PTO accepted and processed the missing parts surcharge and the one month extension of time fee in duplicate, applicant requests that the amount of \$120.00 be refunded to Deposit Account No. 10-0223.

Please direct any questions regarding this Request for Refund to applicant's undersigned attorney at the number provided.

Respectfully submitted,

Dated: December 6, 2004

Susan J. Timian

Susan J. Timian
Reg. No. 34,103

JAECKLE FLEISCHMANN & MUGEL, LLP
190 Linden Oaks
Rochester, New York 14625-2812
Tel: (585) 899-2930
Fax: (585) 899-2931

Certificate of Mailing - 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on the date below.

12/6/2004
Date

Susan J. Timian
Susan J. Timian
Attorney Reg. No.: 34, 103

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DATE: August 5, 2004 DOCKET: 91420.124103
APPLICANT(S): Michael R. Wagner
SERIAL NO.: 10/807,076
FILED: March 23, 2004
FOR: GAME CART/TREE STAND KIT

PAPERS ENCLOSED Response to Notice to File Missing Parts of Application and Request for One-Month Extension (3 pgs) with Fees in the Amount of \$120.00 (Check No. 1676), Copy of Notice to File Missing Parts of Application (2 pgs), Declaration for Utility Patent Application (Executed) (2 pgs.) and Power of Attorney (Executed) (1 pg.), Certificate of First Class Mail, Postcard for Acknowledgment.

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JAECKLE FLEISCHMANN & MUGEL, LLP
ATTORNEYS AT LAW
190 LINDEN OAKS
ROCHESTER, NY 14625-2812

NO. 1696

DATE:
08-05-04

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TO THE ORDER OF Director of United States Patent and Trademark Office

Jean J. T.
AUTHORIZED SIGNATURE

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PATENT AND TRADEMARK OFFICE
13-10-0001
08-10-2004

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AUG 19 2004

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DATE: August 5, 2004 DOCKET: 91420.124103
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Deposit Account Statement

Requested Statement Month: August 2004
Deposit Account Number: 100223
Name: JAECKLE, FLEISCHMANN & MUGEL
Attention: DIANNE ARAZY
Address: 190 LINDEN OAKS
City: ROCHESTER
State: NY
Zip: 14625-2812

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/02 3	10895533	89190.030004/DP-310977	8021	\$40.00	\$16,
08/02 43	E-REPLENISHMENT		9203	-\$9,452.00	\$26,
08/03 189	29197386	89843.015204	8007	\$60.00	\$26,
08/04 7	10032606	8910.072901	1251	\$110.00	\$26,
08/04 75	5795392	89223.99R345	8014	\$25.00	\$26,
08/05 136	10422308	89190.045003C1P2/DP304754	1201	\$258.00	\$25,
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08/05 1084	76227201	87711.042101	7004	\$150.00	\$24,
08/06 71	10389452	89190.125602	1454	\$1,330.00	\$23,
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08/06 1194	2182303	86859.96R026	7205	\$100.00	\$22,
08/06 1195	2182303	86859.96R026	7208	\$200.00	\$22,
08/09 10	10389452	89190.125602	1454	\$1,330.00	\$20,
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08/09 12	10389452	89190.125602	1806	\$180.00	\$19,
08/09 164	10909577	89190.115503/DP-310812	8021	\$40.00	\$19,
08/10 88	10807076	91420.124103	2051	\$65.00	\$19,
08/10 89	10807076	91420.124103	2251	\$55.00	\$19,
08/11 58	60379207	16911.030002	2453	\$665.00	\$18,
08/11 59	60379207	16911.030002	1460	\$130.00	\$18,
08/12 9	09968270	89190.07260/	1801	\$770.00	\$17,
08/12 10	09968270	89190.07260/	1251	\$110.00	\$17,
08/13 19	29197386	89843.015204	8021	\$40.00	\$17,
08/13 122	60599746	87709.087304	1005	\$160.00	\$17,
08/13 791	78466908	91802.088904	7001	\$335.00	\$17,
08/16 75	10836716	90931.055904	2051	\$65.00	\$17,
08/17 20	10836716	90931.055904	8021	\$40.00	\$17,